

105TH CONGRESS
2D SESSION

H. R. 4464

To establish the Medicare Eligible Military Retiree Health Care Consensus Task Force.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1998

Mrs. EMERSON (for herself, Mr. BRADY of Pennsylvania, Mr. ROMERO-BARCELÓ, Mr. MICA, Mr. SCARBOROUGH, Mr. ENGLISH of Pennsylvania, Mr. WATTS of Oklahoma, Mr. FROST, Mr. ENSIGN, Mr. BARR of Georgia, Mr. BENTSEN, Mr. CHRISTENSEN, Mr. HEFLEY, Mr. KENNEDY of Rhode Island, Mr. CUNNINGHAM, Mr. RYUN, Mr. UNDERWOOD, Mr. WOLF, Ms. WOOLSEY, Mr. PORTMAN, Mr. BALDACCI, Mr. BERRY, Mr. BOSWELL, Mr. CLEMENT, Mr. CONDIT, Ms. DANNER, Mr. DAVIS of Illinois, Mr. DEFazio, Mr. DOYLE, Mr. GOODE, Mr. GUTKNECHT, Mr. JOHN, Mr. KLING, Mrs. MCCARTHY of New York, Mr. MARKEY, Mrs. NORTHUP, Mr. PASCARELL, Ms. PELOSI, Mr. RAHALL, Mr. ROGAN, Mr. SERRANO, Mr. SISISKY, Mr. SKAGGS, Mr. SKELTON, Mr. TAYLOR of Mississippi, Mr. TIERNEY, Mr. WAMP, Mr. MCINTYRE, Mr. CHAMBLISS, Mr. LAHOOD, and Mr. THUNE) introduced the following bill; which was referred to the Committee on National Security, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Medicare Eligible Military Retiree Health Care Consensus Task Force.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Military Retiree Health
3 Care Task Force Act of 1998”.

4 SEC. 2. ESTABLISHMENT.

5 There is established a task force to be known as the
6 “Medicare Eligible Military Retiree Health Care Consen-
7 sus Task Force” (in this Act referred to as the “Task
8 Force”).

9 SEC. 3. DUTIES OF TASK FORCE.

10 (a) STUDY.—It shall be the duty of the Task Force
11 to conduct a comprehensive legal and factual study of the
12 following matters:

13 (1) Promises, commitments, or representations
14 made to members of the Uniformed Services by De-
15 partment of Defense personnel with respect to
16 health care coverage of such members and their fam-
17 ilies after separation from the Uniformed Services.

18 (2) Sharing agreements and contracts between
19 the Department of Defense and the Department of
20 Veterans Affairs regarding health care coverage for
21 military retirees and their dependents.

22 (3) Proposals to provide for a full continuum of
23 health care coverage for medicare eligible military
24 retirees and their dependents, including any such
25 proposal developed by the Department of Defense.

1 (b) REPORT.—Not later than one year after the Task
2 Force first meets, the Task Force shall submit a report
3 to Congress which shall contain a detailed statement of
4 findings and conclusions of the Task Force with respect
5 to the studies conducted under subsection (a), together
6 with its recommendations for such legislative and adminis-
7 trative actions as it considers appropriate.

8 **SEC. 4. MEMBERSHIP.**

9 (a) NUMBER AND APPOINTMENT.—The Task Force
10 shall be composed of 12 members appointed as follows:

11 (1) The Speaker of the House of Representa-
12 tives and the minority leader of the House of Rep-
13 resentatives shall jointly appoint nine members from
14 among qualified individuals as follows:

15 (A) Two members shall be representatives
16 of veterans service organizations.

17 (B) Three members shall be representa-
18 tives of military associations with retired en-
19 listed members.

20 (C) One member shall be a representative
21 of a retired officers association.

22 (D) Three members shall be health care
23 professionals.

1 (2) The Secretary of Defense shall appoint one
2 member from among officers or employees of the
3 Department of Defense.

4 (3) The Secretary of Veterans Affairs shall ap-
5 point one member from among officers or employees
6 of the Department of Veterans Affairs.

7 (4) The Secretary of Health and Human Serv-
8 ices shall appoint one member from among officers
9 or employees of the Department of Health and
10 Human Services.

11 (5) Not more than 6 members appointed under
12 this subsection may be of the same political party.

13 (b) DEADLINE FOR APPOINTMENT.—Members of the
14 Task Force shall be appointed by not later than 90 days
15 after the date of the enactment of this Act.

16 (c) TERMS OF APPOINTMENT.—The term of any ap-
17 pointment under subsection (a) to the Task Force shall
18 be for the life of the Task Force.

19 (d) VACANCIES.—Any member appointed to fill a va-
20 cancy occurring before the expiration of the term for which
21 the member's predecessor was appointed shall be ap-
22 pointed only for the remainder of that term. A vacancy
23 in the Task Force shall be filled in the manner in which
24 the original appointment was made.

1 (e) WAIVER OF LIMITATION ON EXECUTIVE SCHED-
2 ULE POSITIONS.—Appointments may be made under this
3 section without regard to section 5311(b) of title 5, United
4 States Code.

5 (f) CONTINUATION OF MEMBERSHIP.—If a member
6 was appointed to the Task Force as a Member of Congress
7 and the member ceases to be a Member of Congress, or
8 was appointed to the Task Force because the member was
9 not an officer or employee of any government and later
10 becomes an officer or employee of a government, that
11 member may continue as a member.

12 (g) COMPENSATION.—Members of the Task Force
13 shall receive no additional pay, allowances, or benefits by
14 reason of their service on the Task Force.

15 (h) EXPENSES.—Each Member of the Task Force
16 shall receive travel expenses and per diem in lieu of sub-
17 sistence in accordance with sections 5702 and 5703 of title
18 5, United States Code.

19 (i) QUORUM.—Seven members of the Task Force
20 shall constitute a quorum but a lesser number may hold
21 hearings.

22 (j) CHAIRPERSON.—As the first order of business at
23 the first meeting of the Task Force, the members of the
24 Task Force shall elect a chairperson from among the
25 members.

1 (k) MEETINGS.—The Task Force shall meet at the
2 call of the Chairperson or a majority of its members.

3 **SEC. 5. STAFF OF TASK FORCE AND SUPPORT SERVICES.**

4 (a) DIRECTOR.—The Task Force shall, without re-
5 gard to section 5311(b) of title 5, United States Code,
6 have a Director who shall be appointed by the Chair-
7 person. The Director shall be paid at the minimum annual
8 rate of basic pay payable for GS-15 of the General Sched-
9 ule.

10 (b) STAFF.—With the approval of the Chairperson of
11 the Task Force, the Director may appoint and fix the pay
12 of not more than eight additional personnel.

13 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
14 LAWS.—The staff of the Task Force may be appointed
15 without regard to the provisions of title 5, United States
16 Code, governing appointments in the competitive service,
17 and may be paid without regard to the provisions of chap-
18 ter 51 and subchapter III of chapter 53 of that title relat-
19 ing to classification and General Schedule pay rates, ex-
20 cept that an individual so appointed may not receive pay
21 in excess of the minimum annual rate of basic pay payable
22 for GS-13 of the General Schedule.

23 (d) STAFF OF FEDERAL AGENCIES.—Upon request
24 of the Chairperson, the head of any department or agency
25 of the United States may detail, on a reimbursable basis,

1 any of the personnel of that department or agency to the
2 Task Force to assist it in carrying out its duties under
3 this Act.

4 **SEC. 6. POWERS OF TASK FORCE.**

5 (a) **HEARINGS AND SESSIONS.**—The Task Force
6 may, for the purpose of carrying out this Act, hold hear-
7 ings, sit and act at times and places, take testimony, and
8 receive evidence as the Task Force considers appropriate.

9 (b) **POWERS OF MEMBERS AND AGENTS.**—Any mem-
10 ber or agent of the Task Force may, if authorized by the
11 Task Force, take any action which the Task Force is au-
12 thorized to take by this section.

13 (c) **OBTAINING OFFICIAL DATA.**—The Task Force
14 may secure directly from any department or agency of the
15 United States information necessary to enable it to carry
16 out this Act. Upon request of the Chairperson of the Task
17 Force, the head of that department or agency shall furnish
18 that information to the Task Force.

19 (d) **MAILS.**—The Task Force may use the United
20 States mails in the same manner and under the same con-
21 ditions as other departments and agencies of the United
22 States.

23 (e) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon
24 the request of the Task Force, the Administrator of Gen-
25 eral Services shall provide to the Task Force, on a reim-



1 bursable basis, the administrative support services nec-
2 essary for the Task Force to carry out its responsibilities
3 under this Act.

4 (f) CONTRACT AUTHORITY.—The Task Force may
5 contract with and compensate government and private
6 agencies or persons for supplies or services, without regard
7 to section 3709 of the Revised Statutes (41 U.S.C. 5).

8 **SEC. 7. TERMINATION.**

9 The Task Force shall terminate 90 days after submit-
10 ting the report under section 3(b).

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